

**Application for Assignment of Authorization  
or Consent to Transfer of Control of Licensee**

**OVERVIEW**

**Purpose of Form**

Form FCC 490 is used to apply for FCC approval of assignments of authorizations and for FCC consent to transfer of control of licensees in the commercial mobile radio services and the Rural Radiotelephone Service.

**Who Must File What Forms and When**

**General.** For assignment of one or more authorizations or transfer of control of licensee, the assignor or transferor must apply for approval using this form, Form FCC 490. In the case of an involuntary assignment of authorization, the assignor must apply no later than 30 days after the event causing the assignment. Note that Form FCC 490 must be signed by both the assignor or transferor and the assignee or transferee. In addition, the assignee or transferee must file a qualifying report on Form FCC 430, unless a current qualifying report for the assignee or transferee is already on file at the FCC. In the latter case, the assignee or transferee must attach an exhibit incorporating by reference the current on-file Form FCC 430 (see instruction below on incorporation by reference), and indicating the date it was filed.

**Partial assignments.** When the authorization for all of the facilities of a station is assigned, this is called a "full assignment of authorization". When authorization for **some, but not all**, of the facilities of a station is assigned, this is called a "partial assignment of authorization". For each partial assignment of an authorization issued under Part 22 or Part 24 of the FCC rules, in addition to filing Form FCC 490, the assignor must notify the FCC, using Form FCC 489, as to which facilities are to be deleted from its authorization. For each partial assignment of an authorization issued under Part 90 of the FCC rules, in addition to filing Form FCC 490, the assignor must apply to the FCC, using Form FCC 600, for a minor modification of its authorization to delete the assigned facilities. Furthermore, for each partial assignment of authorization, the assignee must apply for authorization to operate the facilities for which authority is being assigned (using Form FCC 600), either as a new station or as a modification to an existing station already authorized to the assignee.

**Sixty-day period.** Assignments of authorizations and transfers of control of licensees must be completed within 60 days of FCC approval, unless the FCC grants an extension of time to complete a specific transaction. If an assignment of authorization or transfer of control is not completed within 60 days, or within the time allowed under an extension, FCC approval of that transaction is no longer valid.

**Notification required if transaction not completed within 60 days.** If a full assignment of authorization or a transfer of control is not completed within 60 days of FCC approval, the assignor or transferor must so notify the FCC by letter. If a partial assignment of an authorization issued under Part 22 or Part 24 of the FCC rules is not completed within 60 days, the assignor must so notify the FCC by filing Form FCC 489. If a partial assignment of an authorization issued under Part 90 of the FCC rules is not completed within 60 days, the assignor must so notify the FCC by filing Form FCC 600.

**Extension of time to complete transaction.** If an FCC approved assignment of authorization or transfer of control is not completed within 60 days, but the parties expect to complete it in the near future,

the assignee or transferee may, by letter, request that the FCC grant an extension of time to complete the transaction.

**Notification of completion.** Upon completion of any assignment of authorization or transfer of control of licensee, the assignee or transferee must notify the FCC, by letter, of the date of completion.

**Incomplete assignments and transfers.** If an FCC approved assignment of authorization or transfer of control is not completed and the parties no longer expect to complete it, the assignee or transferee must submit any instruments of authorization issued to it to the FCC for cancellation. In such cases, the authorizations remain with the assignor or transferor.

**Applicable Rules and Regulations**

Applicants should obtain the relevant parts (Parts 20 and 22, 24 or 90) of the FCC rules in Title 47 of the Code of Federal Regulations. Copies of Title 47 may be purchased from the Superintendent of Documents, Government Printing Office, Washington, DC 20402. Some FCC rules require applicants to attach one or more exhibits to an application in addition to the information requested in the application form.

**Microfiche**

For the services governed by Part 22 and Part 24 of FCC rules, applications on FCC 490 must be filed in microfiche form. Generally, three microfiche (one original and two copies) are required. Each microfiche must be a copy of the signed paper original. Each microfiche copy must be a 148mm X 105mm negative (clear transparent characters appearing on a background providing sufficient contrast to make legible copies) at 24X or 27X reduction. At least one of the microfiche sets must be a silver halide camera master or a copy made on silver halide film such as Kodak Direct Duplicating Film. The microfiche must be placed in paper microfiche envelopes and submitted in a 5" x 7½" envelope. Row "A" (the first row for page images) of the first microfiche must be left blank. The paper original must be submitted at the same time as the microfiche.

**Exhibits**

Each document attached as an exhibit must be current as of the date of filing. Each page of each exhibit must be identified with the number or letter of the exhibit, the number of the page of the exhibit and the total number of pages of the exhibit.

**Processing Fee**

A processing fee is required with this form. To determine the required fee amount, refer to Subpart G of Part 1 of the FCC's rules (47 CFR Part 1, Subpart G) or the current fee filing guide for the radio service involved. For assistance with fees applicable in the radio services governed by Part 22 and Part 24 of the FCC rules, call (202) 418-0220. For assistance with fees in other radio services, contact the FCC's National Call Center at 1-888-225-5322.

**Incorporation by Reference**

Applicants in the radio services governed by Part 22 and Part 24 of FCC rules may incorporate by reference documents, exhibits, or other lengthy showings already on file with the FCC if the information previously filed is more than one 8½" by 11" page in length, and



all information therein is current and accurate in all significant respects. Items that request numbers, alphabet letters (e.g. "Y" or "N") or other short answers must be answered directly without reference to a previous filing. The reference must be attached as an exhibit and contain details sufficient to locate the previously filed information.

**Paperwork Reduction and Privacy Act Notice**

We have estimated that each response to this collection of information will take on average 3 hours. Our estimate includes the time to read instructions, gather and maintain required data, and actually complete and review the form or response. If you have any comments on this estimate, or on how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERM, Washington, DC 20554, Paperwork Reduction Project (3060-0319). We will also accept your comments via the Internet if you send them to [jboley@fcc.gov](mailto:jboley@fcc.gov). Please DO NOT SEND COMPLETED APPLICATION FORMS TO THIS ADDRESS.

You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0319.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a

violation or potential violation of an FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party to a proceeding before the body or has an interest in the proceeding.

If you owe a past due debt to the federal government, the taxpayer identification number (such as your Social Security Number) and other information you provide may also be disclosed to the Department of Treasury Financial Management Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

This notice is required by the Privacy Act of 1974, P.L. 93-579, December 31, 1974, 5 U.S.C. 552a(e)(3), and the Paperwork Reduction Act of 1995, P.L. 104-13, October 1, 1995, 44 U.S.C. 3507.

**SPECIFIC INSTRUCTIONS**

**ASSIGNOR OR TRANSFEROR**

Items T1-T8 These items identify the person or entity that is applying to assign the authorization(s) or applying for consent to transfer control of the licensee. These items must be completed.

Items T9-T16 These items identify the contact representative (usually the headquarters office of a large company, the law firm or other representative of the licensee or the person or company that prepared or submitted the application on behalf of the assignor or transferor). In the event there is a question concerning the application the FCC will attempt to communicate with the contact representative first. These items are optional.

**TYPE OF TRANSACTION**

Item T17 This item indicates whether the application is for assignment of authorization(s) or consent to transfer of control of the licensee. This item must be completed.

Item T18 This item indicates how the assignment of authorization(s) or transfer of control of the licensee is to be accomplished. If the commercial mobile radio or rural radiotelephone facilities are to be sold or transferred, or if stock of the licensee or the entity controlling the licensee is to be assigned to another entity, or if it is a *pro forma* transfer of control of the licensee (see instruction for Item T20, below), this item should be answered "S". If "O" is indicated, the assignor must attach an exhibit explaining how the transfer is to be accomplished. This item must be completed.

Item T19 This item indicates whether the assignment of authorization(s) or transfer of control of the licensee is voluntary or involuntary. This item must be completed.

Item T20 This item indicates whether or not the application is for a *pro forma* assignment of authorization or transfer of control of licensee. A *pro forma* assignment of authorization or transfer of control of licensee is one for which the actual controlling party does not change.

For example, a corporate restructuring that changes the chain of ownership to the controlling corporation might give rise to a *pro forma* transfer of control of a licensee. For another example, if an authorization is assigned by one wholly-owned subsidiary of a parent corporation to another wholly-owned subsidiary of the same parent corporation, this would be a *pro forma* assignment of authorization. This item must be completed.

Item T21 This item indicates whether or not local or state authorization is required for the assignment of authorization or transfer of control. This item must be completed.

**AUTHORIZATION(S) TO BE ASSIGNED OR TRANSFERRED**

This table identifies the authorization(s) to be assigned, or for which control of the licensee is to be transferred. At least one row of this table must be completed. Use a separate row for each authorization. Attach additional copies of page 2 if necessary to list more authorizations.

Item T22 This column of the table lists the call sign(s) of the authorizations to be assigned or transferred.

Item T23 This column of the table identifies the radio service or radio service sub-category for each authorization. Use the following two-letter codes designating the FCC radio service, or radio service sub-category:

|   |    |
|---|----|
| <b>Commercial</b>                       |    |
| Personal Communications Service         |    |
| Broadband .....                         | CW |
| Narrowband .....                        | CN |
| Cellular Radiotelephone Service .....   | CL |
| Paging and Radiotelephone Service ..... | CD |
| Air-ground Radiotelephone Service ..... | CG |
| Offshore Radiotelephone Service .....   | CO |
| Rural Radiotelephone Service .....      | CR |
| Business Radio Service (if commercial)  |    |
| 806-821/851-866 MHz, conventional ..... | GB |

|                                   |       |
|-----------------------------------|-------|
| 806-821/851-866 MHz, trunked      | YB    |
| 896-901/935-940 MHz, conventional | GU    |
| 896-901/935-940 MHz, trunked      | YU    |
| 929-930 MHz paging systems        | GS    |
| other                             | IG,YG |

#### Specialized Mobile Radio

|                                   |    |
|-----------------------------------|----|
| 806-821/851-866 MHz, conventional | GX |
| 806-821/851-866 MHz, trunked      | YX |
| 896-901/935-940 MHz, conventional | GR |
| 896-901/935-940 MHz, trunked      | YS |

#### 220 MHz Systems

|                                  |    |
|----------------------------------|----|
| Nationwide Commercial 5 Channel  | NC |
| Non-Nationwide 5 Channel Trunked | QT |
| Non-Nationwide Data              | QD |
| Non-Nationwide Other             | QO |

**Item T24** This column of the table lists the date on which each authorization was first granted to the assignor or transferor.

**Item T25** This column of the table indicates how the assignor or transferor obtained the authorization(s) that are to be assigned, or for which control of the licensee is to be transferred. Use the following codes:

|   |    |
|---|----|
| Uncontested Application (no competing applications)         | UA |
| Contested Application (competing applications)              |    |
| Comparative Hearing   | CH |
| Random Selection  | RS |
| Competitive Bidding   | CB |
| Settlement Agreement  | SA |
| All Competing Applications Dismissed Pursuant to FCC Review | CD |
| Voluntary Assignment of Authorization                       | VA |
| Involuntary Assignment of Authorization                     | IA |
| Voluntary Transfer of Control                               | VT |
| Involuntary Transfer of Control                             | IT |
| Other   | OT |

**Item T26** This column of the table must contain the name of the licensee exactly as it currently appears in the official FCC records.

#### ASSIGNMENT OF STOCK

**Items T27-T32** These items report the number of shares of stock and the classification of these shares (e.g. common or preferred stock) involved in a transfer of control effected by the transfer of stock. These items must be completed only for applications involving a transfer of stock.

#### ASSIGNEE OR TRANSFEREE

**Items T33-T40** These items identify the party that is applying to become or control the licensee of the authorizations listed in items T22-T26. These items must be completed, however, the filer may put "Same as items T41-T48" in item T33 and leave items T34-T40 blank, if in fact the information given for the assignee or transferee is exactly the same as the corresponding information for the new licensee.

#### NEW LICENSEE INFORMATION

**Items T41-T50** These items identify who the licensee will be if the application is granted. The information provided in these items will become the licensee's name, address and telephone numbers of record, and the authorization will be sent to this address. The Commission is required to collect the Taxpayer Identification Number to comply with the Debt Collection Improvement Act of 1996. For an individual, this is your Social Security Number. For entities other than an individual, enter your Employer Identification Number. These items must be completed.

#### ALIEN OWNERSHIP

**Items T51-T55** These items request indications and information that enable the FCC to determine whether the assignee or transferee is eligible under Section 310 of the Communications Act of 1934, as amended, to hold a station license. Items T51-T55 must be answered, either "Y" or "N". The FCC can not grant an authorization to a foreign government or the representative of a foreign government. Therefore, if the true and correct answer to Item T51 is "Y", the assignee or transferee is not eligible to hold a license and the FCC will dismiss the application, if filed, without further consideration. Likewise, the FCC can not grant an authorization to provide commercial mobile radio service to any applicant for which the true and correct answer to Item T52, T53 or T54 is "Y". If the answer to Item T55 is "Y", attach an exhibit explaining the nature and extent of any foreign ownership or control. Use T55A as the item number for this exhibit.

#### BASIC QUALIFICATIONS

**Items T56-T59** These items request indications and information that enable the FCC to determine whether the assignee or transferee or assignor or transferor is disqualified from holding, assigning or transferring an FCC authorization because of misconduct. Items T56-T58 must be answered "N" if there is no misconduct. Item T59 must be answered "N" if the assignor or transferor and the assignee or transferee applicant is not a party in any pending matter relevant to misconduct. If the answer to any of items T56, T57, T58 or T59 is "Y", attach as an exhibit a statement explaining the circumstances and why the assignor or transferor and the assignee or transferee believe that an FCC grant of the application would be in the public interest notwithstanding the actual or alleged misconduct. Use T56A, T57A, T58A, or T59A as the item number(s) for such exhibits, respectively.

#### ASSIGNOR OR TRANSFEROR CERTIFICATION

**Items T60-T63** In order for the application to be acceptable for filing, the assignor or transferor must sign this certification in accordance with Part 1 of the FCC rules.

#### ASSIGNEE OR TRANSFEREE CERTIFICATION

**Items T64-T68** In order for the application to be acceptable for filing, the assignee or transferee must sign this certification in accordance with Part 1 of the FCC rules.

FCC 490

FEDERAL COMMUNICATIONS COMMISSION

Approved by OMB  
3060-0319  
Est. Avg. Burden Hours  
Per Response: 3 Hrs.FCC Use Only  
(File Number)**Application for Assignment of Authorization  
or Consent to Transfer of Control of Licensee**Commercial Mobile Radio Services  
Rural Radiotelephone Service

FCC Use Only

**FILING FEE**

| (a) Fee Type Code | (b) Fee Multiple | (c) Fee Due for Fee Type Code in (a) | (d) Total Amount Due | FCC Use Only |
|-------------------|------------------|--------------------------------------|----------------------|--------------|
|                   |                  |                                      | \$                   |              |

**ASSIGNOR OR TRANSFEROR**

|   |  |                                   |              |
|---|--|-----------------------------------|--------------|
| T1. Name of Assignor or Transferor                |  | T2. Voice Telephone Number<br>( ) |              |
| T3. Assumed Name Used for Doing Business (if any) |  | T4. Fax Telephone Number<br>( )   |              |
| T5. Mailing Street Address or P.O. Box            |  |                                   |              |
| T6. City  |  | T7. State                         | T8. Zip Code |

|   |  |                                    |               |
|---|--|------------------------------------|---------------|
| T9. Name of Contact Representative (if other than Assignor or Transferor) |  | T10. Voice Telephone Number<br>( ) |               |
| T11. Firm or Company Name   |  | T12. Fax Telephone Number<br>( )   |               |
| T13. Mailing Street Address or P.O. Box                                   |  |                                    |               |
| T14. City   |  | T15. State                         | T16. Zip Code |

**TYPE OF TRANSACTION**

|  |
|--|
| T17. This application requests ( ) <u>Assignment of authorization</u> <u>Consent to Transfer of Control of Licensee</u>                |
| T18. How will assignment or transfer of control be accomplished? ( ) <u>Sale</u> or other transfer or assignment of stock <u>Other</u> |
| T19. This assignment of authorization or transfer of control of licensee is ( ) <u>Voluntary</u> <u>Involuntary</u>                    |
| T20. Will this be a <u>pro forma</u> assignment or transfer of control? ( ) <u>Yes</u> <u>No</u>                                       |
| T21. Is local or state authorization required for this assignment or transfer of control? ( ) <u>Yes</u> <u>No</u>                     |

**AUTHORIZATION(S) TO BE ASSIGNED OR TRANSFERRED**

[illegible]

## ASSIGNMENT OF STOCK

| Stock                         | Number of Shares | Classification |
|-------------------------------|------------------|----------------|
| Shares to be transferred      | T27.             | T28.           |
| Shares issued and outstanding | T29.             | T30.           |
| Shares authorized             | T31.             | T32.           |

## ASSIGNEE OR TRANSFEREE

|  |  |   |               |
|--|--|---|---------------|
| T33. Name of Assignee or Transferee                |  | T34. Voice Telephone Number<br>(      ) |               |
| T35. Assumed Name Used for Doing Business (if any) |  | T36. Fax Telephone Number<br>(      )   |               |
| T37. Mailing Street Address or P.O. Box            |  |   |               |
| T38. City  |  | T39. State                              | T40. Zip Code |

## NEW LICENSEE INFORMATION

|  |  |   |               |
|--|--|---|---------------|
| T41. Legal Name of Licensee                        |  | T42. Voice Telephone Number<br>(      ) |               |
| T43. Assumed Name Used for Doing Business (if any) |  | T44. Fax Telephone Number<br>(      )   |               |
| T45. Mailing Street Address or P.O. Box            |  |   |               |
| T46. City  |  | T47. State                              | T48. Zip Code |
| T49. Taxpayer Identification Number                |  | T50. Internet or e-mail address         |               |

## ALIEN OWNERSHIP

|   |          |            |           |
|---|----------|------------|-----------|
| T51. Is the assignee or transferee a foreign government or the representative of any foreign government?  | (      ) | <u>Yes</u> | <u>No</u> |
| T52. Is the assignee or transferee an alien or the representative of an alien?  | (      ) | <u>Yes</u> | <u>No</u> |
| T53. Is the assignee or transferee a corporation organized under the laws of any foreign government?  | (      ) | <u>Yes</u> | <u>No</u> |
| T54. Is the assignee or transferee a corporation of which any officer or director is an alien or of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?   | (      ) | <u>Yes</u> | <u>No</u> |
| T55. Is the assignee or transferee a corporation directly or indirectly controlled by any other corporation of which any officer or more than one-fourth of the directors are aliens, or of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country?<br>• If "yes", attach exhibit explaining nature and extent of alien or foreign ownership or control. |          |            |           |

## BASIC QUALIFICATIONS

|  |       |            |           |
|--|-------|------------|-----------|
| T56. Has the assignor or transferor, assignee or transferee, or any party to this application had any FCC station authorization, license or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license, construction permit denied by the Commission?  | (   ) | <u>Yes</u> | <u>No</u> |
| T57. Has the assignor or transferor, assignee or transferee, or any party to this application, or any party directly or indirectly controlling the assignor or transferor, assignee or transferee, or any party to this application ever been convicted of a felony by any state or federal court?   | (   ) | <u>Yes</u> | <u>No</u> |
| T58. Has any court finally adjudged the assignor or transferor, assignee or transferee, or any party to this application, or any person directly or indirectly controlling the assignor or transferor, assignee or transferee, or any party to this application, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? | (   ) | <u>Yes</u> | <u>No</u> |
| T59. Is the assignor or transferor, assignee or transferee, or any party to this application, or any person directly or indirectly controlling the assignor or transferor, assignee or transferee, or any party to this application, currently a party in any pending matter referred to in the preceding two items?   | (   ) | <u>Yes</u> | <u>No</u> |

## ASSIGNOR OR TRANSFEROR CERTIFICATION

|  |            |
|--|------------|
| The ASSIGNOR or TRANSFEROR represents that the authorization will not be assigned or that control of the licensee will not be transferred unless and until the consent of the Federal Communications Commission has been given; that all exhibits attached or referenced herein are a material part hereof and are incorporated herein as if set out in full in this application; that neither the assignor or transferor is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance and that all statements made in this application are true, complete and correct to the best of his or her knowledge and belief. |            |
| T60. Typed Name of Person Signing  | T61. Title |
| T62. Signature   | T63. Date  |

## ASSIGNEE OR TRANSFeree CERTIFICATION

|  |            |
|--|------------|
| The ASSIGNEE or TRANSFeree waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise. The assignee or transferee certifies that grant of this assignment or transfer of control would not cause the assignee or transferee to be in violation of the spectrum aggregation limit in 47 CFR Part 20. The assignee or transferee agrees to assume all obligations and abide by all conditions imposed upon the assignor or transferor under the subject authorization(s), unless the Federal Communications Commission pursuant to a request made herein otherwise allows, except for liability for any act done by, or any right accrued by, or any suit or proceeding had or commenced against, the assignor or transferor prior to this assignment or transfer of control. Neither the assignee or transferee is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. The undersigned, individually and for the assignee or transferee, hereby certifies that the statements made herein are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith. |            |
| T64. The assignee or transferee is a (an)   (   ) <u>Individual</u> <u>Unincorporated Association</u> <u>Partnership</u> <u>Corporation</u>  |            |
| T65. Typed Name of Person Signing  | T66. Title |
| T67. Signature   | T68. Date  |
| <b>WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S.Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).</b>   |            |